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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/869,492	06/28/2001	Alan Anderson Hoover	RCA 89855	4186

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Joseph S Tripoli  
Thomson Multimedia Licensing Inc  
PO Box 5312  
Princeton, NJ 08540

EXAMINER

MEI, XU

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 07/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/869,492	Applicant(s) HOOVER, ALAN ANDERSON	
	Examiner Xu Mei	Art Unit 2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 08 May 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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### **DETAILED ACTION**

1. This communication is responsive to the applicant's amendment dated 05/08/2006.

#### ***Response to Arguments***

2. Applicant's arguments, filed 05/08/2006, with respect to the rejection(s) of claim(s) 2 and 16 in view of Holt have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Klayman.

Regarding the argument in view of Klayman, it's clear that element 36 of Klayman is a signal level adjust device, not a band pass filter as argued in the remark. It's deemed Klayman still read on the claimed limitations.

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2),

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and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-3 and 15-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Klayman (US Patent 6,597,791).

Regarding claim 1, Klayman discloses a stereophonic expansion circuit (see Fig. 1), comprising: means for processing (L+R) and (L-R) signals (16 and 32), and means for providing tonal compensation for the (L+R) signal by increasing an amplitude of the (L+R) signal (36) in a bass frequency band relative to a mid-range frequency band.

Regarding claim 2, the tonal compensation for the (L+R) signal as shown by Klayman for increasing the amplitude of the (L+R) signal (36) is also further provided in a tremble frequency band relative to a mid-range frequency band.

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Regarding Claim 3, Klayman discloses the (L-R) signal of the stereophonic expansion circuit is processed by increasing an amplitude of the (L-R) signal in the mid-range frequency band (38 and 40).

Regarding Claim 15, Klayman discloses a method for providing stereophonic expansion, comprising: generating (L+R) and (L-R) signals (16 and 32), and providing tonal compensation for the (L+R) signal by increasing an amplitude of the (L+R) signal in a treble frequency band relative to a mid-range frequency band (36).

Regarding claim 16, the tonal compensation for the (L+R) signal as shown by Klayman for increasing the amplitude of the (L+R) signal (36) is also further provided in a bass frequency band relative to a mid-range frequency band.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 4 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klayman (US Patent 6,597,791)

Regarding Claim 4, Klayman does not explicitly disclose wherein the (L+R) signal is tonally compensated to be complementary to a frequency curve of the (L-R) signal. Klayman discloses that adjustment of the devices 36 and 38 is typically performed manually by a user control where an increase in the level of the sum signal emphasizes the audio signal appearing at a center stage position between a pair of speakers. Conversely, an increase in the level of the difference signal emphasizes the ambient sound information creating the perception of a wider sound image (Col. 4, lines 42-53). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to produce complementary curves to produce a sound image for a stereophonic signal.

Regarding Claim 10, Klayman discloses a stereophonic expansion circuit having (L+R) and (L-R) signal paths (116 and 32) including circuitry operative to provide tonal compensation for the (L+R) signal path by increasing an amplitude of an (L+R) signal in a bass frequency band and a treble frequency band relative to a mid-range frequency band (36), and wherein the tonal compensation of the (L+R) signal path is approximately

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complementary to a tonal frequency response of the (L-R) signal path. Although Klayman does not disclose the tonal compensation of L+R signal path is approximately complementary to a L-R frequency response, Klayman discloses that adjustment of the devices 36 and 38 is typically performed manually by a user control where an increase in the level of the sum signal emphasizes the audio signal appearing at a center stage position between a pair of speakers. Conversely, an increase in the level of the difference signal emphasizes the ambient sound information creating the perception of a wider sound image (Col. 4, lines 42-53). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to produce complementary curves to produce a sound image for a stereophonic signal.

7. Claims 5-9, 11-14 and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klayman as applied to claims 1, 10 and 15 above in view of Lendaro et al. (Hereinafter "Lendaro") (US Patent 5,208,493).

Regarding Claims 5, 11, and 17 Klayman discloses a device as stated above but does not disclose tonal compensation can be switched between "on" and "off" modes. Lendaro discloses a stereo expansion selection switch (Figs. 1-3) to allow a user to

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selectively actuate or deactuate the stereo expansion circuitry of an audio system (Col. 1, lines 6-9). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include an "on" and "off" switch in order to allow a user to selectively actuate or deactuate the stereo expansion circuitry of an audio system as taught by Lendaro.

Regarding Claims 6, 12, and 18 Lendaro further discloses stereophonic expansion can be switch between "on" and "off" modes and the tonal compensation is switched "off" with the stereophonic expansion is switched "off" (Figs. 1-3).

Regarding Claims 7, 13, and 19 Klayman further discloses gain boost (Figs. 3 and 5).

Regarding Claims 8, 14, and 20 Lendaro further discloses the tonal compensation and expansion are "off" when switched "off".

Regarding Claim 9, Klayman further discloses the tonal compensation for the (L+R) signal is provided with respect to the (L-R) signal (Fig. 1, phase shifter 14).

**8. The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this**




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**application, all further correspondence regarding this application should be directed to Art Unit 2615.**

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Xu Mei whose telephone number is 571-272-7523. The examiner can normally be reached on Monday-Friday (9:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Xu Mei  
Primary Examiner  
Art Unit 2615  
07/20/2006